

Kristopher P. Diulio (SBN 229399)

kdiulio@FordDiulio.com

Brendan M. Ford (SBN 224333)

bford@FordDiulio.com

Tyler E. Sanchez (SBN 299131)

tsanchez@FordDiulio.com

FORD & DIULIO PC

695 Town Center Drive, Suite 700

Costa Mesa, California 92626

Telephone: (714) 384-5540

Facsimile: (844) 437-7201

Attorneys for Defendants

PAUL PEJMAN EDALAT, OLIVIA

KARPINSKI, FARAH BARGHI, SENTAR

PHARMACEUTICALS, INC., EFT

GLOBAL HOLDINGS, INC, BLUE TORCH

VENTURES, INC., LIWA, N.A., INC., and

SENTUS LAND MANAGEMENT, LLC.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

BRUCE CAHILL, et al.,

Plaintiffs,

v.

PAUL PEJMAN EDALAT, et al.,

Defendants,

Case No. 8:16-cv-00686-AG-DFM

**APPLICATION FOR LEAVE TO
WITHDRAW**

*(Filed Concurrently with Under Seal
Declaration of Kristopher P. Diulio)*

Courtroom: 10D

Judge: Hon. Andrew J. Guilford

1 TO ALL PARTIES, AND TO THEIR ATTORNEYS OF RECORD:

2 Kristopher P. Diulio, counsel of record for Defendants Paul Pejman Edalat,
3 Olivia Karpinski, Farah Barghi, Sentar Pharmaceuticals, Inc., EFT Global Holdings,
4 Inc, Blue Torch Ventures, Inc., Liwa, N.A., Inc., and Sentus Land Management, LLC
5 (collectively “Defendants”), applies for leave to withdraw as counsel of record for
6 Defendants. The basis for this application is set forth in the concurrently submitted
7 Declaration of Mr. Diulio, Under Seal, and the Court’s file.

WITHDRAWAL IS PERMISSIBLE UNDER THE RULES OF PROFESSIONAL RESPONSIBILITY

The Local Rules require an attorney that seeks to withdraw as counsel of record file an application for leave to withdraw and give reasonable written notice to the client and other parties to the action. LR 83-2.9.1. Withdrawal in federal district court in California is governed by Rules of Professional Conduct of the State Bar of California. *See Moore v. United States*, 2008 WL 1901322, at *2 (E.D. Cal. 2008). As explained in the concurrently submitted Declaration of Kristopher Diulio, Under Seal, counsel believes that withdrawal is appropriate under the Rules of Professional Conduct.

WITHDRAWAL WILL NOT DELAY PROSECUTION OF THIS CASE TO COMPLETION

According to the Local Rules “[a]n attorney may not withdraw as counsel except by leave of court.” C.D. Cal. L.R. 83-2.3.2; *see also Darby v. City of Torrance*, 810 F. Supp. 275, 276 (C.D. Cal. 1992). “A motion for leave to withdraw must be made upon written notice given reasonably in advance to the client and to all other parties who have appeared in the action,” and must be for good cause. C.D. Cal. L.R. 83-2.3.2. The Court has discretion to grant or deny a motion to withdraw as counsel. *See, e.g., Huntington Learning Ctrs., Inc. v. Educ. Gateway, Inc.*, No. CV 09-3200 PSG (VBKx), 2009 WL 2337863, at *1 (C.D. Cal. June 28, 2009).

This case is set for trial on June 13, 2017. The bulk of discovery has been completed, and current counsel continued to represent Defendants through Mr. Edalat’s third and final deposition in this matter, which occurred on March 13, 2017. At this point, there is still sufficient time for new counsel to integrate into the case and properly defend and prosecute Defendants interests based on the discovery conducted by current and prior counsel.

1 In summary, withdrawal is appropriate under the California Rules of Professional
2 Responsibility and will not delay this case. Therefore, it should be permitted.

3
4 Dated: March 21, 2017

FORD & DIULIO PC

5
6 By: /s/ Kristopher P. Diulio
7 Kristopher P. Diulio

8 Attorneys for Defendants PAUL PEJMAN
9 EDALAT, OLIVIA KARPINSKI, FARAH
10 BARGHI, SENTAR PHARMACEUTICALS,
11 INC., EFT GLOBAL HOLDINGS, INC, BLUE
12 TORCH VENTURES, INC., LIWA, N.A.,
13 INC., and SENTUS LAND MANAGEMENT,
14 LLC.
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on March 21, 2017, I electronically filed the foregoing **APPLICATION FOR LEAVE TO WITHDRAW** with the Clerk of the Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record.

/s/ Kristopher Diulio
Kristopher P. Diulio